



Queensland

Stock Identification Amendment Regulation (No. 2) 2005

Subordinate Legislation 2005 No. 235

made under the

Stock Act 1915

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1 Short title

This regulation may be cited as the *Stock Identification Amendment Regulation (No. 2) 2005*.

2 Regulation amended

This regulation amends the *Stock Identification Regulation 2005*.

3 Amendment of s 7 (What is a registrable place)

(1) Section 7(1)(g)—

omit, insert—

‘(g) a stock transit facility;’.

(2) Section 7(1)(h) and (k)—

omit.

(3) Section 7(1)(i), (j), (l), (m), (n), (o) and (p)—

renumber as section 7(h), (i), (j), (k), (l), (m) and (n) respectively.

4 Insertion of new s 7A

Part 1, division 2, subdivision 2—

insert—

‘7A What is a stock transit facility

‘A *stock transit facility* is—

- (a) a spelling facility for stock; or
- (b) a yard used as a dip for travelling stock; or
- (c) another facility for drafting, weighing, reconsigning or transhipping designated stock.’.

5 Amendment of s 19 (Applying for registration)

Section 19(2), ‘1 unit’—

omit, insert—

‘1 business unit’.

6 **Amendment of s 21 (Provisions for the PIC for registrable place)**

(1) Section 21(2)(c) and (3)(c), ‘1 unit’—

omit, insert—

‘1 business unit’.

(2) Section 21(4) and (5)—

omit, insert—

‘(4) For subsections (2) and (3), places are in the same locality if they are in the same local government area.

‘(5) Also, places in adjoining local government areas are in the same locality if the centroid of all secondary places not in the same local government area as the primary place are no more than 20km from the boundary between the adjoining local government areas.

‘(6) In this section—

primary place means the registered or registrable place mentioned in subsection (2) or (3) from which the business unit mentioned in subsection (2) or (3) primarily operates.

secondary place means any registered or registrable place mentioned in subsection (2) or (3) other than the primary place.’.

7 **Amendment of s 28 (Types of approved tags and their purposes)**

Section 28(2)—

omit

8 **Amendment of s 44 (How approved tags must be applied to cattle)**

Section 44(2), after ‘attached to the’—

insert—

‘middle of the inner third of the right or offside’.

9 Replacement of s 53 (Bobby calves under 6 weeks)

Section 53—

omit, insert—

‘53 Particular bobby calves

‘A bobby calf to be travelled to a meat processing facility for slaughter or to a saleyard for sale need only bear a permanent tag or a transaction tag if it is—

- (a) under 6 weeks; and
- (b) unaccompanied by its dam.’.

10 Replacement of s 56 (Who may apply for approval)

Section 56—

omit, insert—

‘56 Who may apply for approval

‘The owner of a registered place may apply to the chief inspector for approval for cattle travelled, or to be travelled, to or from the place not to bear a particular approved tag or to be untagged.’.

11 Amendment of s 57 (Requirements for application)

Section 57, example, ‘section 56(1)’—

omit, insert—

‘section 56’.

12 Amendment of s 58 (Deciding application)

- (1) Section 58(4)—

renumber as section 58(5).

- (2) Section 58—

insert—

‘(4) The chief inspector may impose conditions on the approval.’.

(3) Section 58(5), as renumbered, after ‘refuse the approval,’—

insert—

‘or to impose conditions on the approval.’.

13 Amendment of s 63 (Other travelling of sheep)

Section 63(2)(a) and (3), ‘sheep property tag’—

omit, insert—

‘post-breeder tag’.

14 Insertion of new pt 5, div 3, sdiv 1, heading

Before section 64—

insert—

**‘Subdivision 1 When identification requirements
do not apply at all’.**

15 Amendment of s 64 (Particular meat processing facility sales)

Section 64(e), ‘3’—

omit, insert—

‘4’.

16 Insertion of new pt 5, div 3, sdiv 2

Part 5, after section 67—

insert—

‘Subdivision 2 Chief inspectorial approval

‘67A Approval by chief inspector to travel without particular approved tag

‘If an approval under section 67D is in force, sheep the subject of the approval travelled to or from the place the subject of the approval need not bear the approved tag the subject of the approval.

‘67B Who may apply for approval

‘The owner of a registered place may apply to the chief inspector for approval for sheep travelled, or to be travelled, to or from the place not to bear a particular approved tag or to be untagged.

‘67C Requirements for application

‘An application under section 67B must—

- (a) be in the approved form; and
- (b) state the proposed period of, and the sheep proposed to be subject to, the approval; and
- (c) demonstrate how, if the approval is granted, the sheep will still be able to be traced under NLIS.

Example of how paragraph (c) may be complied with—

An application is proposed to be made under section 67B by the owner of a registered saleyard for all sheep travelled to or from the saleyard. Paragraph (c) may be complied with by showing that the saleyard has electronic readers or other facilities that are adequate to ensure part 6 will be complied with for all of the sheep.

‘67D Deciding application

- ‘(1) The chief inspector may grant an approval sought in an application under section 67B only if satisfied the sheep proposed to be subject to the approval will still be traceable under NLIS.

- ‘(2) Otherwise, the chief inspector must refuse the approval.
- ‘(3) The approval may be granted for—
 - (a) a particular period or no particular period; or
 - (b) particular sheep, or all sheep, travelled to or from the place the subject of the approval.
- ‘(4) The chief inspector may impose conditions on the approval.
- ‘(5) If the chief inspector decides to refuse the approval, or to impose conditions on the approval, the chief inspector must give the applicant an information notice about the decision.’.

17 Amendment of s 69 (General obligations of responsible person)

- (1) Section 69, heading—

omit, insert—

‘69 General obligations if relevant place of destination is not a stock transit facility’.

- (2) Section 69(1), from ‘not—’—

omit, insert—

‘not a stock transit facility.¹’.

- (3) Section 69(2)(e) and (f), after ‘slaughtered at the facility’—

omit, insert—

‘within 5 working days after their arrival at the facility;’.

- (4) Section 69(4)—

insert—

‘**working days**, for a meat processing facility, means days on which the facility operates.’.

¹ See also section 96A (Obligations of person receiving cattle to which s 96 applies).

18 Amendment of s 70 (Alternate obligations of responsible person for particular places)

- (1) Section 70, heading—

omit, insert—

‘70 Obligations if relevant place of destination is a stock transit facility’.

- (2) Section 70(1)(a), from ‘is—’

omit, insert—

‘is a stock transit facility;² and’.

19 Amendment of s 76 (Obligation to notify)

- (1) Section 76(1), ‘24 hours’—

omit, insert—

‘the required period’.

- (2) Section 76(2)—

insert—

‘*required period* means—

- (a) the period that ends 24 hours after the consignment arrives at the registered place; or
(b) if the chief inspector agrees to a longer period—the longer period.’.

20 Amendment of s 86 (Obligation to apply tag to unlawfully untagged cattle or sheep)

Section 86, ‘sheep property tag’—

omit, insert—

‘post-breeder tag’.

² See also section 89A (Section 70 obligations also apply to lawfully untagged cattle).

21 Amendment of s 89 (Obligation of person in charge to apply permanent tag to unlawfully untagged cattle or sheep)

- (1) Section 89(2)(c)—
omit, insert—
‘(c) a stock transit facility;’.
- (2) Section 89(2)(d) and (g)—
omit.
- (3) Section 89(e), (f), (h), (i) and (j)—
renumber as section 89(d), (e), (f), (g) and (h) respectively.
- (4) Section 89(3), from ‘apply—’—
omit, insert—
‘apply a post-breeder tag.’.
- (5) Section 89(4), ‘or sheep property tag’—
omit.

22 Insertion of new s 89A

Part 6—

insert—

‘89A Section 70 obligations also apply for untagged cattle that arrive at a stock transit facility

‘If untagged cattle arrive at a stock transit facility, section 70³ applies to the person who receives the cattle at the facility as if they did bear an approved tag on their arrival.’.

23 Insertion of new s 96A

After section 96—

insert—

³ Section 70 (Obligations if relevant place of destination is a stock transit facility)

‘96A Obligations of person receiving cattle to which s 96 applies

- ‘(1) This section applies if—
- (a) section 96 applies for the travelling of cattle for sale to a meat processing facility; and
 - (b) when the cattle arrive at the facility they do not bear an approved tag.
- ‘(2) Until 1 July 2007, section 69⁴ (other than subsection (2)(c) and (3)) applies to the person who receives the cattle at the facility as if they did bear an approved tag on their arrival.⁵
- ‘(3) To remove any doubt, it is declared that subsection (2) does not limit section 81.⁶’.

24 Replacement of s 99 (Requirements do not apply from 1 July to 31 December 2005)

Section 99—

omit, insert—

‘99 Sheep born before 1 January 2006

- ‘(1) This section applies to sheep born before 1 January 2006.
- ‘(2) Section 62⁷ does not apply to the sheep.
- ‘(3) Section 63⁸ only applies to the sheep from 1 January 2007.’.

25 Amendment of schedule (Dictionary)

- (1) Schedule, definition *sheep property tag*—
omit.

4 Section 69 (General obligations if relevant place of destination is not a stock transit facility)

5 For provisions that apply if section 96(2) or (3) does not apply, see section 82 (Obligations relating to unlawfully untagged cattle or sheep)

6 Section 81 (Obligation not to mix untagged cattle or sheep with other animals)

7 Section 62 (Sheep first travelled from their place of birth)

8 Section 63 (Other travelling of sheep)

(2) Schedule—

insert—

‘stock transit facility see section 7A.’

(3) Schedule, definitions *bolus ear tag, breeder tag, district breeder tag, district post-breeder tag, HGP free tag, permanent tag, post-breeder tag, saleyard post-breeder tag, saleyard tag, temporary tag* and *transaction tag*, ‘section 28(1)’—

omit, insert—

‘section 28’.

ENDNOTES

- 1 Made by the Governor in Council on 22 September 2005.
- 2 Notified in the gazette on 23 September 2005.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Primary Industries and Fisheries.